

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-4 are in the application.

The disclosure was objected to because of the following informalities: “applicant has used inconsistent terminology while referencing unit 104 (Drawings: Fig. 3). Applicant has referred to this unit as a piece managing unit and a price managing unit (e.g. specification: page 21, lines 1-5).” The disclosure has been amended herein to correct this matter.

Claims 1-4 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,687,802 issued to Kori et al. Claims 1-4 were rejected under 35 U.S.C.(a) as being unpatentable over U.S. 6,034,832 issued to Ichimura in view of U.S. 6,615,192 issued to Tagawa.

Independent claim 1, as presented herein, recites in part the following:

“means for providing information indicative of an unrecorded track or tracks of the recording medium if said unrecorded track or tracks exist; and

display means ... for displaying the information indicative of the unrecorded track or tracks when obtained from the providing means.”

It is respectfully submitted that Kori as applied by the Examiner (hereinafter, merely “Kori”) does not appear to disclose the above features of claim 1. It is also respectfully

submitted that the combination of Ichimura and Tagawa applied by the Examiner (hereinafter, merely "Ichimura and Tagawa") does not appear to disclose the above features of claim 1.

Accordingly, it is requested that the above rejections of claim 1 be withdrawn. For similar or somewhat similar reasons, it is also requested that the above rejections of independent claims 3 and 4 be withdrawn.

Since claim 2 depends from independent claim 1, it is requested that the above rejections of claim 2 be withdrawn for at least the reasons previously described.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference or references, there is the bases for a contrary view.

In view of the foregoing, entry of this amendment and these remarks and withdrawal of the rejection of claims 1-4 and the allowance of this application with claims 1-4 are respectfully requested.

Please charge any fees incurred by reason of this response and not paid herewith to  
Deposit Account No. 50-0320.

Respectfully submitted,  
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